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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 (HONORABLE JANICE L. SAMMARTINO)

11 UNITED STATES OF AMERICA,)

CASE NO.: 07cr3158-JLS

12 Plaintiff,)

DATE: December 20, 2007

TIME: 9:00 a.m.

13)

14 v.)

15 LUZ MARIA BUENROSTRO-VILLARUEL,)

NOTICE OF MOTIONS AND MOTIONS TO:

16 Defendant.)

- 17) 1) COMPEL DISCOVERY AND
18) PRESERVE EVIDENCE;
2) DISMISS INDICTMENT FOR FAILURE
TO ALLEGE ESSENTIAL ELEMENTS
OF THE OFFENSE;
3) SUPPRESS ANY STATEMENTS
MADE BY MS. BUENROSTRO-
VILLARUEL; AND,
4) GRANT LEAVE TO FILE FURTHER
MOTIONS.

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23 TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND
ANDREW SCHOPLER, ASSISTANT UNITED STATES ATTORNEY:

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25 PLEASE TAKE NOTICE that on December 20, at 9:00 a.m., or as soon thereafter as counsel may
26 be heard, defendant, Luz Maria Buenrostro-Villaruel, by and through her attorneys, Leila W. Morgan and
27 Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Defendant, Luz Maria Buenrostro-Villaruel, by and through his attorneys, Leila W. Morgan and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

- (1) Compel Discovery and Preserve Evidence;
- (2) Dismiss Indictment for Failure to Allege Essential Elements of the Offense;
- (3) Suppress any Statements Made by Ms. Buenrostro-Villaruel; and
- (4) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: December 20, 2007

s/ Leila W. Morgan
LEILA W. MORGAN
Federal Defenders of San Diego, Inc.
Attorneys for Ms. Buenrostro-Villaruel
Leila_Morgan@fd.org